

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JOSEPH COOPER,

Plaintiff,

v.

PREMERA BLUE CROSS, *et al.*,

Defendants.

Case No. C06-1466RSL

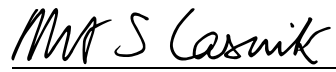
ORDER DENYING DEFENDANT'S  
MOTION *IN LIMINE*

This matter comes before the Court on defendant's motion *in limine* to preclude plaintiff from providing proof that he applied the PIP benefits he received to health care expenses. (Dkt. #15). For the reasons the Court set forth during the November 20, 2007 hearing in this case, the Court DENIES the motion. Furthermore, defendants have not shown that the exclusion is appropriate as a discovery sanction. Nor have they shown that the Plan administrator had discretion such that this matter should be limited to a review of the administrative record.

As the Court explained during the November 20, 2007 hearing, plaintiff shall file a motion to file an amended complaint no later than December 21, 2007. If he fails to do

1 so, the Court may dismiss the matter.

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3 DATED this 26th day of November, 2007.

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6 Robert S. Lasnik  
7 United States District Judge  
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